



The Commission on
Women, Children, Seniors, Equity & Opportunity

CWCSEO

Connecticut General Assembly

**Testimony of the Commission on Women, Children, Seniors, Equity & Opportunity
Presented to the Human Services Committee
March 1, 2022**

In Support of:

***H.B. No. 5227 (RAISED) AN ACT ESTABLISHING THE COMMUNITY
OMBUDSMAN PROGRAM FOR HOME CARE.**

***HB 5232 (RAISED) AN ACT CONCERNING SERVICE ANIMALS.**

***SB 197 (RAISED) AN ACT CONCERNING TEMPORARY FAMILY ASSISTANCE.**

Senator Moore, Representative Abercrombie, Senator Berthel, Representative Case, and other distinguished members of the Human Services Committee; my name is Michael Werner. I am the Lead Aging Policy Analyst for the Commission on Women, Children, Seniors, Equity & Opportunity, here today to testify on what I believe to be one of the most critical bills before you, **HB 5227: An Act Establishing the Community Ombudsman Program for Home Care.**

Smartly, the bill builds upon the established success of the existing Office of the Long-Term Care Ombudsman, who has had boots on the ground throughout the pandemic and many years prior. **The bill properly addresses the autonomy and independence requirements necessary for the program, by expanding the current structure and leveraging its institutional knowledge and proven leadership, which will quickly allow for the Office to get set up and get to work.**

Since 2003, the State has been working through its Rebalancing efforts to deinstitutionalize and promote CT's residents to age well in place, under the least restrictive means, in the setting of their choice. **The Community Ombudsman program would be a sound reinvestment into quality assurance to meet the booming demand for homebased and homemaker companion services.**

Multiple governmental authorities have acknowledged the need and affirmed support for the concept of an expanded Ombudsman role in Connecticut, including the Community Ombudsman Workgroup¹, the Long-Term Care Planning Committee from OPM², the Long-Term Care Advisory Council, and the Senior Fraud Task Force, which recently transmitted its report to the Aging and Human Services Committees, echoing the call in its primary recommendations, to protect older adults from fraud and financial exploitation through

¹ https://cga.ct.gov/hs/taskforce.asp?TF=20210826_Community%20Hospice%20Ombudsman%20Work%20Group

² See, page 27 of the 2022 LTSS Report https://portal.ct.gov/-/media/OPM/HHS/LTC_Planning_Committee/2022-LTSS-Plan_FINAL_Submission.pdf



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an expanded Ombudsman program.³

One of the most critical aspects of the program is its *non-mandated reporter designation*.

This allows for more candid conversations between potential complainants and an expert liaison authority there to protect rights and help make informed decisions. Home-based LTSS recipients are considered consumer-employers and this population particularly would benefit by having access to this informed-consent assistance providing service.

Only about 1 in 23 older adults ever report when they have been a victim of a crime.⁴ There is shame, fear of conservatorship, non-cooperation in terms of wanting to report on loved ones or caretakers who may have stolen from them, and the state's own limited resources when it comes to investigations and prosecutions. **This new role could be key in preventing the harms downstream that come when it's too late to fix a problem upstream.**

Having an Ombudsman available to all LTSS recipients, regardless of setting, will ensure a safety-net for a rapidly growing population of taxpayers, who continue to contribute to our local municipalities and who, as a public policy, serve the state well by aging at home, in our communities.

The Commission also supports the following bills:

HB 5232 (RAISED) AN ACT CONCERNING SERVICE ANIMALS.

- There generally exists a clear misunderstanding about what service animals, emotional support animals and therapy animals are, and what laws govern them.
- This bill seeks to align Connecticut statutes with federal statutes, so that we have a baseline understanding for training, education, and enforcement determination.
- Some examples of issues that arise for enforcement determination include the treatment of dogs in restaurants (governed by the Americans with Disabilities Act), emotional

³ See, pages 7-8 of the 2022 Senior Fraud Task Force Report

https://cga.ct.gov/age/related/20130101_Reports.%20Briefings%20&%20Updates/2021%20Senior%20Fraud%20Task%20Force%20Final%20Report.pdf

⁴ <https://www.findlaw.com/elder/elder-abuse/what-is-the-elder-justice-act.html#:~:text=According%20to%20the%20U.S.%20Department,reported%20to%20the%20appropriate%20agencies.>



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support animals in apartments (governed by Fair Housing laws), and animals in airports and planes (governed by the federal Air Carrier Access Act).

- **Of note is Section 13, which calls for the Commission on Human Rights and Opportunities to create online educational materials** covering: (1) the differences between service animals, emotional support animals and therapy animals, (2) the rights and responsibilities of an owner of each such animal under state and federal law, and (3) permissible methods under state and federal law for an owner of a "place of public accommodation, resort or amusement", or landlord to determine whether an animal is a service animal, emotional support animal or therapy animal.

SB 197 (RAISED) AN ACT CONCERNING TEMPORARY FAMILY ASSISTANCE.

- Connecticut allows families access to the TFA program for 21 months, with the possibility of two 6-month extensions.
- The bill calls for the Connecticut program time limit to align with the federal ceiling of 60 months.
- **The Commission believes the proposed time extension granted for recipients to be more appropriate for families to stabilize considering current pandemic-impacted economic conditions.**

Thank you for this opportunity to testify before you today.